

U.S. DISTRICT COURT  
DISTRICT OF N.H.  
FILED

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UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Melissa Messier

v.

Civil No. 04-cv-028-JD

Dell Computer et al.

PROCEDURAL ORDER

As a result of reviewing the docket in this case relative to the motion for summary judgment recently filed by defendant Sony Electronics Inc., the court notes some apparent confusion as to the status of Dell Computer Corporation as a defendant in this matter. The court's order of August 3, 2004 (document no. 41) did not result in summary judgment for Dell on all claims against it. Instead, the order granted Dell's motion for partial summary judgment, i.e., on those claims brought by plaintiff Michel J. Messier. Order (Aug. 3, 2004) at 15. The court also ordered that an attorney file a notice of appearance on behalf of plaintiffs Matthew Michel Messier and Morgan Ann Messier; when that did not occur, their claims were dismissed without prejudice in a subsequent order (document no. 43). Neither of these orders, however, affected the claims against Dell brought by plaintiff Melissa Messier. Order (Aug. 3, 2004) at 1.

Dell therefore remains a defendant as to Melissa Messier's claims in this action. The clerk shall so notify Dell by sending

a copy of this procedural order to its last attorney of record in this matter. The docket entry of August 3, 2004, noting that Dell was terminated as a party as a result of the order of that date, shall be corrected.

SO ORDERED.

  
Joseph A. DiClerico, Jr.  
United States District Judge

September 7, 2005

cc: ✓ Melinda A. Messier, pro se  
✓ Steven M. Gordon, Esquire

*LA*